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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 DAMARISE MCSWAIN,
15 Defendant.

Case No. 2:15-cr-00015-RFB-NJK
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Second Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and between United States
18 Attorney Nicholas A. Trutanich and Assistant United States Attorney Daniel E. Clarkson,
19 counsel for the United States of America, and Federal Public Defender Rene L. Valladares and
20 Assistant Federal Public Defender Sylvia A. Irvin, counsel for Damarise McSwain, that the
21 revocation hearing currently scheduled on December 17, 2020 at 11:00 a.m., be vacated and
22 continued for at least 30 days, or to a date and time convenient to this Court.

23 This Stipulation is entered into for the following reasons:

24 1. On November 13, 2020, Mr. McSwain made his initial appearance on a petition
25 alleging violations of supervised release. ECF No. 127. Mr. McSwain was released under his
26 same conditions of supervised release. *See id.*

2. Defense counsel previously asked the Court for additional time to be able to meet with Mr. McSwain and prepare for the revocation hearing and the Court granted the continuance. ECF Nos. 132, 133.

3. Since then, defense counsel has met with Mr. McSwain and the parties have conferred about the status of his case. Undersigned counsel ask the Court for a continuance of the revocation hearing to allow Mr. McSwain to continue to show progress and for the parties to work towards a resolution of the matter.

4. Mr. McSwain is at liberty and agrees with the need for the continuance.

5. Undersigned counsel contacted AUSA Daniel Clarkson and USPO Annis Seopaul Sones, and they agree to the continuance.

This is the second request for a continuance of the revocation hearing.

DATED this 16th day of December, 2020.

RENE L. VALLADARES
Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

By Sylvia A. Irvin
SYLVIA A. IRVIN
Assistant Federal Public Defender

By Daniel E. Clarkson
DANIEL E. CLARKSON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DAMARISE MCSWAIN,

7 Defendant.
8

Case No. 2:15-cr-00015-RFB-NJK

ORDER

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10 Based on the stipulation of counsel, and good cause appearing, IT IS THEREFORE
11 ORDERED that the Revocation Hearing currently scheduled for Thursday, December 17, 2020,
12 at 11:00a.m., be vacated and continued to January 26, 2021, at the hour of 9 : 00 a.m.,
13 or to a time and date convenient to the Court.

14 DATED this 16th day of December, 2020.

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17 RICHARD F. BOULWARE, II
18 UNITED STATES DISTRICT JUDGE
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